

A
S P E E C H,
DELIVERED

To the Worshipful **MAYOR**

AND

Common Council of the Corporation of
Liverpool, in Council assembled,

On *Monday* the 9th Day of *April*, 1759,

By Alderman **JOSEPH CLEGG,**

Upon his being restored, and taking his Seat as a
Member of the Common Council, by Virtue of a
peremptory *Mandamus*, issued out of his Majesty's
Court of **KING'S-BENCH**;

Addressed to the Worshipful

R. CUNLIFFE, Esquire, Mayor.

With some

Q U E R I E S,

And a

Copy of the Order of Council, testifying Obedience
being paid to the Writ.



TO THE
Worshipful ROBERT CUNLIFFE, Esq;
MAYOR of Liverpool.

APRIL 10, 1759.

SIR,



S it was your own, and the Gentlemen of the Council's desire, that what I spoke in the Council Assembly Yester Evening should be copied, and laid before them, to be considered of and answered; but having no transcript, I chose not to leave it; yet assured your Worship and the Gentlemen you should have one: And to prevent Ground for Suspicion of it's being any way altered, I requested you would please to mark the several Leaves, which you condescended to do; I hope therefore, it will apologize for my addressing it to your Patronization.

Its Contents, so immediately relating to the important Concerns of this Corporation, will, I hope, likewise be considered as a sufficient Apology for committing it to the Press. And here, Sir, permit me to address my Thanks to your Worship and the Gentlemen of the Council, for your so strenuously persisting in your Resolution, taken the preceding Council Day,

Day, That Mr. *William Pole*, the Treasurer, either bring to the Credit of the Public Estate, the Four Hundred and ninety-eight Pounds nine Shillings, being the Money he receiv'd for that Use, or a Prosecution be commenced against him.

As I drew up some *Queries* a few Days since, relating also to the public Concerns of this Corporation, and put them under the Care of a Gentleman, with my Request that he would, and accordingly did shew to your Worship; I take the Liberty now to address them as I intended.

By any Thing I either say or do as a Member of the Common Council, I am far from intending or desiring to disoblige any Persons: If I state Facts which were not intended to be noticed, and which will not well bear the Light, yet it is a Duty which in my Station I owe to the Public, and the Omission of it would be a Crime in me.

I was concerned to hear the Corporation Estate is so much in Arrear for Interest due, and more especially as the Poor are thereby injured. I think there is a much more agreeable Method to be taken to raise Money to support public Credit than Compulsion; unless there is a better foundation to build it upon, than any I have yet heard mentioned in the Council Assembly.

I am, with all due deference to the Importance of the Station you are in,

Worshipful Sir,

Your most obedient,

And very humble Servant,

JOSEPH CLEGG.

GENTLEMEN,

AS I have the Honour to be readmitted into this Assembly by Virtue of his Majesty's Royal Mandate; and by it likewise restored to all the Liberties, Franchises and Privileges annexed to the Place and Office of a Member of the Common Council; and among those, a decent Liberty of Speaking; I lay hold of this Occasion to say, That Thanks are justly due to Merit, but where that ceases, the Obligation to it ceases likewise.

It has been Matter of Surprize to a great many, both in Town and at a greater Distance, That Gentlemen in Trade and Business themselves, and some of them who have pretty severely experienced the Frowns of Fortune as well as myself, and I may say but narrowly escaped the same Fate, should have so eagerly grasped at an Occasion to treat me with so much severity, without any other Security that you were Right in doing so, than the *Ipse dixit* of one Person, and without so much as requiring to see the Authority upon which he grounded his Plea against me.

I hope, Gentlemen, that you do not consider any, or all the Indignities offered to me, to amount to a Confutation of any thing I have made public; but that all the Arguments which I have advanced in favour of the Rights and Privileges of the Free Burgeſſes, stand upon their own solid Basis. I have not left room for doubt or conjecture as to my being the Author of what has been wrote; because I have subscribed my Name to every thing I have asserted; and whether you will look into Affairs which I have made mention of, and which I apprehend concern us as our Duty, and the Public as their Interest, by a faithful and consciencious Discharge of our great Trust, I leave to your consideration. However that be, the Rebukes which I have met with from you, will be far from

putting a Padlock either upon my Tongue or Pen, when I consider myself as having a proper Call to make use of them : For tho' I am far from pluming myself upon being clear from Error in my own Judgment of Things ; yet, as I hope I shall never wilfully and knowingly Transgress, so I hope and expect to meet with such Treatment as becomes Gentlemen. Taunts and Sneers will serve to make no other Impression upon my Mind, than to look upon those Persons who treat me after that Manner, as behaving out of Character.

There are Methods of executing our Trust crept in, and have been for several Years pursued, which occasion the Business proper to be transacted by this Council less known to the Body in general, than I think should be ; and when the several Accounts necessary to be rendered, come to be examined after such a Manner as they ought, and I hope will be, I am of Opinion you will be sensible of your knowing less than many of you imagine you do.

I believe that in most Communities, an entire Harmony is often productive of bad Effects : Persons too often slide into Errors very insensibly, which an Opposition would make them aware of, and be the Means of guarding against. I could easily illustrate this Truth in many Instances, which have not escaped my Observation, within the Limits of this Town : An overbearing Majority can only give a temporary Sanction to them ; it cannot give the finishing Stroke, to the Destruction of Truth.

Errors, unknown to every individual Member of this present subsisting Common Council, being long since committed, have been made a Discovery of, and your known innocence sufficiently protects you from the Imputation of Guilt resting upon you ; but not from an Enquiry becoming your Duty, whereby to be satisfied whether such Discovery is just and right, or the Mistake of the Person or Persons offering it to your Notice : And as the Design of discovering an Error is, or should be, for the sake of having it rectified or set right, it is the bounden Duty of those to whom the Care of the Public's Concerns are entrusted,

entrusted, to take it under their Consideration, let the Discovery come from what Quarter it will.

Personal Prejudice against me, can be no Plea for disregarding Truths, especially such as essentially concern the Welfare and Interest of the Town in general, nor can I assign in my own Thoughts a vindicable Reason for it: But if you have any, surely it must be of an extraordinary Nature, to take hold of every individual Member, except those Gentlemen, who have been introduced, since the time you turned me out from among you.

However, the unkind and illegal Advantage you intended to take of my unfortunate Circumstances being now defeated, will, I hope, upon Deliberation and Reflection, be rather pleasing to you than otherwise; because, if you had succeeded in your Scheme, it might have been an unhappy Precedent for causing *in futuro* the Amotion of Favourites, as Misfortunes may happen when they are least thought of or expected. How very lately have the imagin'd strong Walls of some been suddenly thrown down, and those of others made to totter and shake! Then who can say his Mountain stands unmoveable?

Gentlemen, if Truths which I have laid before you, and after that before the Public, and which you have thought unworthy your Regard, are of that atrocious Nature as to appear a breach of my public Trust, as a Member of the Common Council; if I have any way caused the Public's Money to be idly squander'd away and spent; that I have been in a secret Connection with any Person, whereby to worm the Public out of a part of their Estate let me be charg'd with it openly; that will be a fair way of Proceeding, and ought to be deemed far preferable to dealing in dark Hints and secret Whispers; which (Circumstances consider'd) will be looked upon as suspecting the Truth of such Allegations, by the Persons themselves, from whom they transpire: I say, let your Charge be public, you shall have a Reply equally
so;

so ; and if I cannot acquit myself to the unprejudiced and impartial, I will publickly acknowledge and censure my own Conduct, and oblige you still further, by a voluntary Dismission of myself from the Common Council, as a Member unfit to be trusted with the Concerns of the Corporation ; until which Time permit me to assure you I shall think it my Duty to pursue the Dictates of my own Reason and Judgment in the discharge of my Trust, during the Time I remain in that Station.

Now, Gentlemen, Matters are brought to this Pass : It appears your having play'd off what was represented to be your Grand Battery against me has not answer'd your Expectation ; therefore if you resolve to pursue me further, it must be from your Close Quarters ; particular Instances of my Conduct must become the Charge against me, and I hope you will suffer nothing to be exhibited but what you apprehend will be to the Purpose ; trifling Matters, unlikely to answer any other End than taking advantage of my inability to withstand the Expence, will surely be looked upon to be too mean a Subterfuge for generous Minds to shelter Conduct under ; for the more pains you take to injure or asperse me, without clearly making out your Allegations, the more you must lessen yourselves in the Esteem and Regard of the Public ; such exulting over my Misfortunes may to you be a self Gratification, but there is a Meanness in it which robs a Person of that which should be an Ornament to his Mind, necessary to qualify him to deserve the Denomination of a Gentleman or a good Christian : However, Gentlemen, it is my determined Resolution, that while I sit in this Council as a Member in Trust for the Burgeses, I am not to be brow-beaten out of my Reason. I shall openly disapprove of what I think to be wrong, and never disappoint my own desire in conversation, by keeping that a Secret which is either quite a Matter of Indifference, or which I think the Public ought to know.

There

There is one Thing I acknowledge I have, been very much surpriz'd at, which is, That some Gentlemen whose either moral or religious Characters have suffered no Eclipse; who can judge and speak of Things with great Propriety, (so far as my Capacity enables me to form a Judgment) that they can reconcile themselves to behave with great Indifference as Trustees for the public Concerns of this Corporation; that they can with great Diligence, Fidelity and Reputation, be concern'd in the discharge of other Public Trusts, yet, seemingly sit easy, and disregard Charges of Infidelity in that of the Corporation, out of the power of being answered and confuted!

The Nature of Trusts is different, but the End and Design of them the same; a rectitude of Deportment in the discharge of them is justly expected, and the same governing Principle which is to direct in the discharge of one Trust ought to direct in all. A Person is not to be forced into the acceptance of a Trust, but that Trust once accepted, demands Care and Fidelity in the discharge of it. But to come nearer to the Point; I would desire you to consider, whether, if the Concerns of three other branches of Trust, the *Bluecoat School*, the *Infirmary*, and the *Sailors Hospital*, were Year after Year so neglected that no Accounts were stated and ballanced, whether those would not run into great Confusion? and must not a considerable Loss likewise attend them? Then by a parity of Reason, the concerns of the Public Estate of this Corporation, with the Charter Immunities and Privileges belonging to it, ought to be regarded by those who are put in, and accept a Trust for those Purposes.

Now as you have thought proper to join in a Quarrel against me, I think it far from being unreasonable to ask you, Whether I am become your Enemy for telling you the Truth? I have spoken freely, and spoken plainly; I am not confuted, nor so much as contradicted; therefore whatever

whatever you may think, your Silence sets the Seal of Truth to all my Assertions; so that what you despise, carries Conviction against yourselves.

For my own part, Gentlemen, I am so far from dreading, or being in the least afraid of any Charge being exhibited against me, that I am so free to say I think the Town-Clerk cannot acquit himself with the greatest Reputation without doing so: For tho' your Good-Nature and Christian Disposition may be so far extended in my favour as to amount to what you may consider an Act of Grace, or free Pardon, I believe neither myself nor any others can take it in that Light, until he has pointed out some fresh Matter of Complaint.

If he charges me with declining to accept of Favours of his own proposing, which would have argued a baseness in me to have comply'd with, I will submit to it, and also to the Public, how far I may be deserving of Censure.

The generosity of Forgiveness can be no way impeached, by having the Crimes obliterated (by such Forgiveness) laid before the Criminal; for by doing so his Mind is much more likely to be impressed with a sense of Gratitude, intermixed with a greater sense of Shame that he should have behaved so much out of Character as to bring himself to such a Pass, That Mercy must triumph over Judgment, in order to avert Punishment.

As what he can now have to alledge against me must relate to what I have either said or done as a Member of the Common Council, a Charge copiously drawn up may perhaps prove a proper Lesson of Instruction to Gentlemen but of a late standing as Members of the Body: It may lay down before them the Limits or Bounds how far their Reason and Judgment is to extend in conducting public Affairs: It may be a Comment by way of Explanation of the Oath, as to its Sense and Meaning, which is admini-

ster'd
 (the Chamber) due Notice given me previous to your
 expansion of me: Now if the Town-Clerk would but have
 consulted an Authority of much greater Weight than his own

fired at their Admittance, and cause them thereby to avoid splitting upon any Rock which has occasioned my being render'd the Object of Contempt: For, *Felix quem faciunt aliena Pericula cautum.*

The contemptuous Treatment which I have met with in this Place, however it may have been Sport and Pastime to some of you; and however the Treatment I have met with from some Gentlemen who are not of the Council, may, upon Reflection, be relished by themselves; with respect to myself is Matter of small Moment: The Cause is still the same; it stands upon its own firm bottom, and will remain in that situation until it be fairly baffled by you, and the Reason for deserting assigned and justified by them.

Caprice, Humour, or Secret Views, are far from being tant-a-mount to Reasons, the stability and conclusiveness of Them can be only allowed to justify Conduct: Therefore, until those make their appearance, the Cause remains good, and worthy to be espoused: For, give it what Nick-Name you, or they, please, it is really and truly the Cause of LIBERTY, highly deserving the Regard and Esteem of every Person who desires to merit the Appellation of a TRUE BRITON, let his Rank and Station of Life be what it will.

I never saw the State of the Case on which you were told Mr. Norton grounded his Opinion, if there was one; however, what the Town-Clerk told you was sufficient to occasion my expulsion.

How far this sort of Work may be agreeable to you, Gentlemen, I do not take upon me to say; but if your Sentiments are expressive of an Approbation of such Actions, I think you consign over your Reason and Judgment to become a Football for his sporting with.

I cannot avoid taking Notice, that in your Return to the Mandamus, you say, I had then and there (that is in the Council Chamber) due Notice given me, previous to your expulsion of me: Now if the Town-Clerk would but have consulted an Authority of much greater Weight than his own

will ever be, he might have seen, that if I had been guilty of a much more heinous Crime than he had represented my Misfortunes to be, and occasioned my being expell'd for it ; yet, if it was done without hearing me answer to what was objected, or that I was not reasonably warned, the Removal would be void, as being against Justice and Right.

It is likewise alledged in the Return, That the Office of a Member of the Common Council is an Office of great Trust, as there is a very considerable Estate belonging to the Mayor, Bailiffs and Burgeses ; That the Power and Controul of the Council is very great : I consider what you say in this Point is very right, if I may form a Judgment of it by your Conduct and Behaviour to the Burgeses ; but you cannot charge me with having a Desire to transgress Charter Bounds, since I knew their Limits ; nor can you charge me with embezzling the Public's Property : but that I have made Discoveries of others doing it, if you bring that as a Charge against me, I confess I can put no Negative upon it.

Have you, since my being under the Cloud of your Displeasure, had your Council Meetings held more regularly, or got your public Accounts stated and settled ? I think it will appear this Office of great Trust and Power has not been very much attended to.

But by your Treatment of some Gentlemen you have invested with the Office of Mayor, you have consider'd them very little worthy of Regard, otherways you would have more punctually attended them upon the set Days for holding Councils, and paid greater Respect to them upon other public Occasions.

These are leading Steps to let the Town see and know how you not only slight the Dignity of that Important Trust, but shew Disrespect to the Magistrate at the same Time.

If what I have heard and made my Observation of is right, the Gentleman who now presides as Chief Magistrate has not hitherto been treated with greater Decency and Respect than some

some of his Predecessors. I am fully persuaded he did not thrust himself into the Seat, nor can you allege that the Burgesses put any Force upon your Inclinations in the choice you made. These Things I mention in hopes you will take it into Consideration, and let a decent respectful Deportment in you appear, suitable to the Dignity he sustains as Mayor of LIVERPOOL.

However I may differ in Opinion with his Worship, and you Gentlemen, respecting the public Concerns of the Town, and whatever Steps I may be concern'd in taking in consequence of such Differing, I hope I shall always keep in View the dutiful and respectful Regard which I owe to the Chief Magistrate, and make it my Care to behave accordingly.

How awful and how amiable are those Courts and Judicatories, where Reason and Argument is freely spoke; where Decency and good Order is observed; where Persons are heard with Calmness, and where Justice and Charity equally prevail! This was the fam'd Virtue of the ancient *Romans*, when their State was in all its Glory; which never began to decline and sink, till a mean, narrow and selfish Spirit crept in among them. It is a well-known Observation, that all Governments have within themselves the Seeds of their own Dissolution; and the wisest Institutions will not stand before the stroke of Time, unless defended by a Spirit of Liberty and Watchfulness. This Passage, with one or two which I have recited, are borrowed from a Person of much better Discernment than myself, therefore the more deserving of Notice; and if a Spirit of Liberty and Watchfulness has governed our Measures, I am far from being the only Person mistaken; however, we are in no danger of being bewilder'd, or engag'd with unsurmountable Difficulties, if we but return into that Path which is now open and plain before us. If it appears we have been by any means led into Mistakes by others, why should we adopt them as our own?

A Power

A Power regulated by the Laws of our Constitution is that alone which can and will support the Reputation of a Common Council ; it will preserve to us the just Esteem of the Burgesſes in general ; it will afford a pleaſing Satisfaction in the Reflections of our own Minds, that we have no other Attachments but what will ſtand the Teſt of the ſtricteſt Scrutiny. I am now returned among you with the ſame Views and Intentions I had at the Time you expell'd me, which were, To have the Rule of Conduct eſtabliſhed upon its proper Foundation ; and if I am not very much miſtaken, you are not quite harmonious ſince the Time of my Expulſion.

If what I have met with from you has not made me better, I will venture to aſſert it has made me more knowing ; for I am clearly ſatisfied and convinced, That until there is a Convention of the Mayor, Bailiffs and Burgeſſes, *you have no Laws as yet made, nor which you can make in your preſent Capacity as a Common Council, which will enable your being extricated from Difficulties, which I am well ſatisfied there are ſome Gentlemen of the Council ſenſibly aware of.*

The public Concerns of this rich and populous Corporation are of too great Conſequence to be governed by the Prate of a Town-Clerk, whoſe known Indolence is too great, and his Capacity too ſhallow, to be entruſted with the Guidance of your Actings. I ſpeak that publicly, which I know ſeveral of you have ſaid after a more private Manner. This Method of Remarkiſng upon a Gentleman may, perhaps, not be looked upon as quite polite in me, according to the preſent Taſte : However, I hope it acquits me from a Charge either of Flattery or Inſincerity ; and I hope likewiſe, that my Appearance amongſt you will ſtand as one Proof of what I have juſt now aſſerted. It admits of no difficulty to ſtart Points of Law, by even meer Quacks in the Profeſſion, and to have them readily ſwallowed by Perſons, whoſe Prejudices arm them with Credulity ; for they ſerve to gild the Pills, and make them paſs glibly down.

By-Laws, conſtitutionally made, will, and they only (as I have juſt obſerved) will ſupport public Credit, engage the Public's

lic's Esteem and Regard for you, as the Guardians of their Rights and Immunities ; and that Hob-goblin or Bugbear called a riotous and tumultuous Assembly, which you have expressed the Fears and bad Consequences of, will be found to be an *Ignis Fatuus*—a meer Dream.

An amicable Adjustment of depending Differences may, and I doubt not will do that, which a Course of Law admits of no Power to effect. This Scheme I humbly, and I hope consistently with my Duty have a Right to mention. The Steps which Mr. Mayor may chuse to pursue, I do not pretend to direct ; but I am humbly of Opinion likewise, that the Burgeses are so essential a Part of the Constitution, that their Consent for raising Money, either by granting Annuities, or upon Interest, is absolutely necessary to render the Common Seal a good Security. By saying this I start nothing new : I believe you will find it contained in the Burgeses Protest ; which, so far as I remember, remains uncontradicted as to any one Point ; and as it was founded upon good Advice, so silence seems to give a Sanction to it's Validity.

If you allow that I am not a Stranger to the Charter Laws ; I can say, that I have with sincerity and impartiality imparted my Knowledge of them to you ; and until I am convinced of Error, I hope it will be no Crime in me to adhere to my own Sentiments.

P. S. *As some Gentlemen of the Council expressed a Desire to have a Copy of what I delivered ; and at the same time promised it should be answered ; I hope it will give the more general Satisfaction, that I submit it to the Perusal of the Public, and subjoin some Queries : Because, I cannot doubt, but by comparing what I write, and the answer together, and bring them to the great Standard of Truth, the Confirmation Charter of King William the Third, the Duty which the Common Council, as Guardians of, and Trustees for the Burgeses Rights and Privileges, owe to them ; and likewise the dutiful Regard which the Burgeses on their Parts owe to the Gentlemen of the Common Council, will be clearly laid open and explained.*

SOME

SOME QUERIES,

Respectfully addressed to the consideration of the FREE BURGESSES in the Corporation of Liverpool, by a Fellow Burgefs, and

Their humble Servant,

April 6, 1759.

JOSEPH CLEGG.

Query 1st. **W**HETHER the Charter of King *William* the Third is, or is not the Foundation upon which any Person can build Power, whereby to capacitate a select Body of Burgefses to sit and act as Guardians in Trust for their own and their Fellow Burgefses Rights and Privileges, under the Stile and Denomination of a Common Council?

2d. Whether that Charter invests such Common Council with a Legislative or *only* an Executive Power?

3d. Whether the Burgefses are, or are not an essential Part of the Constitution?

4th. Whether the Protest of the Burgefses, dated the 18th Day of *June* 1757, delivered to the Worshipful the Mayor, and by him laid before the Council, and read in the Council Assembly, is not binding upon them, either to refute or pay a Regard to?

5th. Whether Money, if taken upon Interest, can be secured to a Lender, by the Common Seal being set to a Bond, until the Protest against taking such a Step, is either Legally set aside, or the general Consent of the Burgefses be first obtained for such Liberty?

6th. Whether a Patent or Charter Grant, obtained after a secret and clandestine Manner, unknown to the Burgefses, and not accepted by them, is not a flagrant Abuse of Power; an illegal Proceeding of the Common Council, which may justly entitle those concerned in such an Undertaking to a legal Disfranchisement;

francisement ; as it did those Persons who were guilty of the like Practice in the Reign of the late King *Charles* the Second ?

7th. Whether the Appointment of a Deputy Recorder, by Virtue of a surreptitiously obtained Charter, is not an unwarrantable Breach made upon the Constitution ?

8th. Whether such pretended Deputy Recorder, and in that Capacity sitting in our Courts as a Judge ; hearing Causes in the Mayor's Court or Court of Passage, and in the like Capacity, on Criminal Cases, in the Port Moot Court, or Court of Quarter Sessions ; and at the same time acting in the Capacity of a Bailiff, by summoning Juries for the several Purposes before mentioned ; I say, is not this a Power, not only novel in itself ; but a Breach upon the Constitution of this Corporation ?

9th. May not this new-invented Officer be fairly entiled to a distinguishing Apellation : May he not by his fighting both on Horseback and on Foot, rank separately from any Denomination of Persons yet known in this Part of the Globe ?

10th. If Committees are appointed by the Council among themselves, to enquire into select Branches of the Corporation's Concerns, can such Committees direct, or withhold Payments of the Public's Money, without making their Reports to the Council, in Council legally assembled ; and are not the Orders of such Council only binding, to authorise Payments being made by the Treasurer ?

11th. Whether a Member of the Council has not an Authority and Power by Virtue of that Trust, to inspect the Council Books at proper Seasons ; or he must depend upon the Will and Pleasure of the Town-Clerk, whether he shall be entitled to such Liberty ?

12th. Whether if the Books in the Custody of the Town-Clerk, relating to the Concerns of the Corporation, will not bear the Inspection of a Member of the Council, are they more likely to bear the Inspection of a Court of King's Bench ?

13th. What can or will the Community judge of Gentlemen who are Members of the Common Council, if their Conduct and Behaviour in that Capacity will not bear a Scrutiny ?

14th. Whether a Pecuniary Mulct for not duly attending the Worshipful the Mayor upon set Days for holding Councils, or on other Days by Virtue of his Summons issued out for that Purpose, or the Obligation, which by a solemn Oath a Member engages himself to do it, ought to have the Preferance?

15th. Whether, If after the Worshipful the Mayor has been dutifully and respectfully addressed in the Name, and at the Request of the Burgeses, to summon a Common Hall meeting, he declines taking such a Step; can the said Worshipful Mayor justly consider either his Person or his Character treated with indignity, if they pursue such Measures as the Law directs, to come at that Justice which they not only apprehend, but are well advised they have an indubitable Right to?

16th. Whether a Person or Persons using endeavours to have the Charter Laws made the Rule of Government, or such as are desirous to pursue Measures in opposition to them, appear to be in the best Scheme for promoting and establishing that Peace, Harmony and Tranquility, which is so essentially necessary to be cultivated and maintained in this Corporation?

17th. Whether the Duty of that great Trust which a Gentleman accepts of, by being a Member of the Common Council, is not incompatible with that Liberty and Freedom, which his Reason and Judgment (in that Character) should be possessed of, if he takes a Fee as a Solicitor; and whether in this Case *Fee* and *Bribe* are not Words of the same Import and Meaning?

18th. Can I, as a reinstated Member of the Common Council (however strongly inclined to renew and cultivate Friendship with my Brethren of the Council) consistently with that which ought to be most dear to me, give the Lye to my own Reasonings, without having the Fallaciousness of them fairly and clearly laid before me: And if I should do so for any consideration, should I not very deservedly merit the Contempt, not only of my Brethren, but every Individual Person, who is a Friend to Truth and common Justice?

19th. If this would be the Case, may I not rationally hope to stand vindicated for the Steps I have hitherto taken; more especially,

pecially, as on all occasions I have been so far from marking my Assertions with the Stamp of infallibility, that I have declared myself open to conviction, and desired, for the sake of the Community, as well as my own satisfaction, to have Errors pointed out, and laid open ?

20th. Can it be truly said, I have pointed out Errors purely for the sake of exposing those whom I thought guilty ? Have I not laid open the Constitution after a fair and impartial Manner, according to the best of my Judgment ; and have I not according to the best of my Knowledge and Judgment, likewise offered my Opinion as to the best Method of pursuing Measures likely to give the most general Satisfaction ?

COPY of the ORDER of Council for restoring Alderman JOSEPH CLEGG to his Seat, &c. in Council.

At a Council held the 7th Day of March, 1759.

IN Obedience to a Writ of Mandamus, issued out of the Court of King's Bench, directed to the Mayor, Bailiffs and Common Council of the Town of *Liverpool*, in the County of *Lancaster*, and being dated or Tisted the 31st Day of *January*, 1759, and returnable before the King himself in the said Court, on *Wednesday* next after fifteen Days from the Day of *Easter*, peremptorily commanding us to restore Alderman *Joseph Clegg* into the Place and Office of one of the Common Council of the said Borough and Corporation of *Liverpool* : It is ordered, that the said *Joseph Clegg* be now restored to his Place or Office of a Common Councilman of the said Borough and Corporation of *Liverpool*, with all the Liberties, Franchises and Privileges thereunto belonging, and he is accordingly restored.

Copy examined by

**Francis Gildart, Town-Clerk
of LIVERPOOL.**



